

of the State, that the latter should not be entirely ousted of its jurisdiction * * *. Clause 17 contains no express stipulation that the consent of the State must be without reservations. We think that such a stipulation should not be implied. We are unable to reconcile such an implication with the freedom of the State and its admitted authority to refuse or qualify cessions of jurisdiction when purchases have been made without consent * * *."

17. Miscellaneous character of State cession laws.—Each of the 48 States has at one time or another enacted legislation surrendering to the United States some part of its jurisdiction over lands acquired or to be acquired within its borders. Earlier enactments were usually in the form of a consent to purchase, following substantially the language of Art. I, Sec. 8, Cl. 17 of the Constitution. Later, as we have seen, jurisdiction often has been relinquished by cession statutes. These enactments, whether in the form of a cession or a consent to purchase, have been far from uniform. Some have been general in their scope in that they have applied to all lands acquired for uses of the Federal Government or for particular uses enumerated, while others have been limited to some one or more specific acquisitions. Some have applied only to future acquisitions, but some have been retroactive in effect. Some have granted exclusive jurisdiction while others have surrendered only concurrent or partial jurisdiction. Some have contained conditions limiting the power granted or reservations of specific powers to the State, while others have granted jurisdiction unconditionally. A digest of current statutes of the several States of general effect is included as Appendix II.

18. Trend of legislation retaining powers in States.—As a result of the great expansion in the Government's land acquisition program in recent years, and the many new and varied uses for which it has acquired lands within the States, the States have become more reluctant to grant exclusive jurisdiction over all lands acquired, and are more frequently reserving to themselves certain powers over ceded areas, notably the power to tax persons and private property situated therein. Such reservations are often acquiesced in by the Government as being compatible with the use for which the land was acquired; and limited jurisdiction is accepted accordingly. In many cases, however, nothing less than exclusive jurisdiction will satisfy the requirements of the Government. This is especially true where the land is to be used for certain military or naval purposes, such as navy yards, arsenals, ordnance plants, and other establishments, from which the national security demands that all State authority be excluded. Generally, however, the trend of modern legislation is to reserve such municipal powers to the States as will not hamper the use of the land for the purposes for which it was acquired.